

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

FRED FRANKLIN ALEXANDER, #632874 §

VS. § CIVIL ACTION NO. 6:11cv340

JAYLE A. BUNT, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, concludes that this civil rights action should be dismissed with prejudice pursuant to the “three strikes” provision of 28 U.S.C. § 1915(g). The Plaintiff has filed written objections (docket entry #9). In his objections, he does not address any of the substantive points in the Report and Recommendation, but simply cites portions of his original complaint relating to his claim of being written “false” disciplinary cases, and also repeats his argument of “imminent danger” due to various physical ailments that the Magistrate Judge has already found wholly unrelated to his complaint and therefore irrelevant. *See Judd v. Federal Election Com’n*, 311 Fed. Appx. 730, 731 (5th Cir. 2009) (per curiam); *Crooker v. United States*, 2011 WL 1375613, at *2 (D. Mass. 2011). He has provided nothing otherwise. Accordingly, he presents no basis to overcome the “three strikes” provisions of § 1915(g).

The Court has conducted a careful *de novo* review of the pleadings in this case, the Report of the Magistrate Judge, the Plaintiff’s objections thereto, and all other documents, and records in the case. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate

Judge is correct and that the Plaintiff's objections are without merit. It is accordingly

ORDERED that Plaintiff's objections are **OVERRULED** and the Report of the Magistrate Judge is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil case be and hereby is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(g). It is further

ORDERED that any and all other motions that may be pending in this civil action are hereby **DENIED**. Finally, it is

ORDERED that the Clerk shall provide a copy of this opinion to the Administrator of the Three-Strikes List for the Eastern District of Texas.

So ORDERED and SIGNED this 26th day of August, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE